

Kell
10/696,352

REMARKS

The undersigned wishes to acknowledge the courteous treatment received during an interview held with the Examiners Han and Ward on Jan. 24, 2005.

Claim 6 was objected to for the lack of an antecedent basis for "circuit board". The claim has been amended to remedy that situation.

Claims 8 and 9 were objected to reference to two switches. These claims have been canceled. It is noted that there are two switches, namely, the tilt switch shown in Fig. 6 and the on/off switch shown in Fig. 5 although it is agreed that these claims were informal.

Claims 1-3 were rejected as being anticipated by Muenchow.

Claims 4-6 were rejected as being unpatentable over Muenchow in view of Reed.

Claims 7-9 were rejected as being unpatentable over the above art and further in view of Dury.

Claims 10-12 were rejected with the addition of Dowling et al.

Claims 13-19 were rejected with the addition of Bailey for a total of five references. While there is no limit to the number of references which may be applied in the rejection of a claim, as more references are added questions do arise as to whether it would be obvious to combine all of those teachings to meet applicant's invention, especially as to the issue of motivation. The use of so many references suggests that the motivation may come from the teachings of this application, ie, hindsight.

Kell
10/696,352

Muenchow discloses a tipup light system similar to the present invention with significant differences. This reference, for example, lacks the teaching of the use of an RF transmitter to send a signal to a remote receiver. Reed shows a fish detecting system which uses a float containing a radio transmitter. The suggestion of mounting such a radio transmitter in the light assembly of the present invention can only come from the teachings of applicant.

Dowling discloses light emitting diodes and applicant concedes that such lights are known in the art.

Dury has a tipup light mounting and was cited for the light socket.

Bailey shows a fishing device and was cited for a tube with a bore for electric wiring.

In view of the excellent art cited by the Examiner, most of the claims have been canceled, and the remaining claims have been restricted to applicant's specific configuration. Claim 1 has been extensively amended, adding the RF transmitter, the flag on the pole along with the light assembly, and the battery assembly mounted on the flag pole, beneath the flag. This basic combination does not appear to be taught or suggested by the art of record, or in any reasonable combination thereof.

Claim 6 adds details of the light assembly including the circuit board with the light socket on the board and claim 10 adds the microcontroller also on the board. Claim 13 adds that the flag pole carries the wiring to the light assembly through a bore therein.

Kell
10/696,352

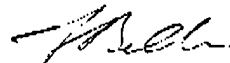
During the interview the claims were reviewed in connection with the art of record, and Examiner Ward noted a technical error in par. c of claim 1, which has been corrected.

For the reasons given above, it is believed that the claims remaining clearly distinguish over the art of record and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



LEONARD BELKIN
Reg. No. 18,063
Tel 301-254-8549

For
Michael I. Kroll
Reg. No. 26,755
171 Stillwell Lane
Syosset, New York 11791
Tel 516-367-7777

Dated: Jan. 24, 2005

Kell
10/696,352

CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S.
Patent and Trademark Office, telephone number 703-872-9306 on Jan. 24, 2005.



Leonard Belkin